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STATE OF ALABAMA MESSAGE FROM THE GOVERNOR

To The Alabama House of Representatives
Alabama State House
11 South Union Street
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you, the body in which it originated, House Bill 222 without my signature and approval.

This proposed legislation attempts to set additional notification and time requirements on elected and appointed boards of education, with regard to the selection and appointing of new superintendents of education. Generally speaking, members of all county boards of education, the State Board of Education, city boards of education, the board of the Alabama Institute for the Deaf and Blind, the board of the Alabama School of Fine Arts, the board of the education of the Alabama Department of Youth Services, and the board of the Alabama School of Mathematics and Science, throughout the State of Alabama, who are elected or appointed, are qualified and dedicated individuals who are desirous and determined that the educational system which they are responsible for function at the highest levels possible, including the desire and determination to select the most qualified superintendent possible. This proposed legislation does not give members of the various boards of education nearly enough credit that they will handle the selection process for superintendent in the best way possible, considering all existing circumstances, each time they are called upon to make such an important decision. Depending on the existing circumstances, these boards of education may well choose to not only publicly post a notice of vacancy, but to post it for longer periods of time and in more locations, and to also publish it in newspapers and professional journals. On the other hand, oftentimes circumstances might well dictate that the most reasonable course of action is to select and appoint the new superintendent very quickly after a vacancy occurs. Oftentimes these board of education members may determine, very reasonably, that a prompt and speedy appointment is in the best interest of the school system and their local community. There is no reason to limit or restrict their judgment and reasoning in such an important respect.

Again, it is important to recognize and understand that in most instances these boards of education, and the members thereof, do more, as far as publication and notification, than is required in this bill. On the other hand, it is totally unreasonable for the Legislature to tie the hands of these boards of education and the members thereof by setting arbitrary requirements that may be unnecessary or which may be detrimental to their hiring processes, under certain situations. The possibility of exigent circumstances requires that the discretion and judgment of school boards not be restricted. This is not good legislation from the standpoint of the most effective governance of the various boards of education throughout the State of Alabama.

For the foregoing reasons, I hereby veto House Bill 222. I encourage you to join me in this decision. Done this 8th day of May 2008.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Riley", is written over the typed name.

Bob Riley
Governor